

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

SERGEY SHESTAKOV,

Defendant.

23-cr-16 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On January 10, 2025, defendant Sergey Shestakov moved to compel the Government to "perform a prudential search of files within the possession of the United States intelligence community, including the NSA and CIA," for several categories of information that generally constitute communications related to the alleged conspiracy. ECF No. 208 at 10. Around two weeks later, on January 26, 2025, Mr. Shestakov moved to compel the Government to "make prudential search requests of the [CIA] and the [FBI] for any records pertaining to co-defendant Charles McGonigal's work and/or relationship with the CIA following his retirement from the FBI in 2018." ECF No. 221 at 1.

The Court denies the motions of Mr. Shestakov -- which are based on unsupported speculation about particular categories of information that intelligence agencies may or may not possess -- with one caveat: By no later than May 27, 2025, the Government should affirm in writing that (a) all communications between Oleg

Deripaska and Mr. Shestakov in the possession of any agency of the United States have been searched for and that either no such records exist or that all such communications have been furnished to defense counsel; and (b) all communications between the alleged co-conspirators related to the charged conspiracy in the possession of any agency of the United States have been searched for and that either no such records exist or that all such communications have been furnished to defense counsel.

For the foregoing reasons, Mr. Shestakov's motions to compel are denied, and the Clerk of Court is respectfully directed to close docket entries 207, 221, and 242.

SO ORDERED.

Dated: New York, NY
May 21, 2025



JED S. RAKOFF, U.S.D.J.